

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of:	)	
	)	
Carriage Complaint Against	)	
	)	
Blue Ridge Cable Technologies	)	Docket No. 12-365
	)	File No. CSR-8753-M
by	)	
	)	
Western Pacific Broadcast, LLC	)	
	)	
With Respect to Carriage Within the	)	
Philadelphia, PA Designated Market Area,	)	
of Local Commercial Television Station WACP,	)	
Licensed to Atlantic City, New Jersey	)	

Directed to: The Chief, Media Bureau

**CONSENT MOTION FOR EXTENSION OF TIME TO REPLY TO**  
**OPPOSITION TO**  
**PETITION FOR SPECIAL RELIEF**  
**BY ORDER OF CARRIAGE**

Western Pacific Broadcast, LLC ("Western Pacific"), pursuant to Rule 1.46, hereby respectfully requests that the Bureau grant Western Pacific an extension of time, ending on February 3, 2014, in which to file its reply to the opposition (the "Opposition") submitted by Blue Ridge Cable Technologies ("Blue Ridge") to Western Pacific's above-captioned petition for an order requiring Blue Ridge to carry local commercial television station WACP in accordance with the Commission's must carry rules and policies on Blue Ridge's cable system(s) within the Philadelphia, PA designated market area for the remaining duration of the current must carry election cycle, expiring December 31, 2014.<sup>1</sup>

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<sup>1</sup> The previous request to extend the Opposition filing deadline, if granted, would have granted a deadline of January 2, 2014.

The Opposition alleges that that Blue Ridge does not receive a good quality signal at Blue Ridge's principal headends. Blue Ridge also had filed a request to exclude its CUIDs from WACP's television market, but Blue Ridge agreed to dismiss that petition and has done so.<sup>2</sup> The settlement agreement obligates the parties to cooperate in efforts by Western Pacific to provide a good quality signal to the headends, thereby terminating the above-captioned must carry dispute.

As previously reported, Western Pacific had deferred signal measurements in order to complete the process of making some minor repairs to its transmitter to optimize the signal-to-noise ratio. Those repairs were completed, and on October 31, 2013, the chief engineers of Western Pacific and Blue Ridge met at one of the two headends to measure the signal strength with the existing search antenna, supplemented with a preamp and a filter. That test was successful, showing a measured received signal exceeding the -61 dBm threshold by a wide margin. That was the first step required to further the process of determining what type of antenna will need to be installed to receive a good quality signal. The parties are scheduled to conduct signal measurements on the second headend on January 9, 2014.<sup>3</sup> We are hopeful that this collaboration and any associated tests will result in an informal resolution of this dispute without the need for the Bureau to dedicate its resources to the consideration of the pleadings and the development of an order to formally resolve this dispute. But, the process will require more time to come to fruition.

The grant of this motion could only harm the movant, Western Pacific, who is the party requesting action by the Bureau.

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<sup>2</sup> That market modification petition was assigned CSR-8793-A and Docket 13-130.

<sup>3</sup> While WACP had hoped to schedule this second test for December, reductions in transmitter power and work on the tower since the last extension was requested, coupled with the holiday season, made the conduct of these further tests impracticable.


For the foregoing reasons, the grant of this motion would be in the public interest. Counsel for Blue Ridge has authorized Western Pacific to represent that Blue Ridge is aware of the intention of Western Pacific to file this motion and will not interpose an objection to this motion.

**WHEREFORE**, the foregoing premises considered, Western Pacific Broadcast, LLC hereby respectfully requests that the Bureau grant the additional time requested for Western Pacific Broadcast, LLC to submit its reply in the above-captioned matter.

Respectfully submitted,

WESTERN PACIFIC BROADCAST LLC

By: \_\_\_\_\_

  
M. Scott Johnson  
Thomas J. Dougherty, Jr.  
Its Counsel


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January 2, 2014

**CERTIFICATE OF SERVICE**

I, Thomas J. Dougherty, Jr., hereby certify that on this 2nd day of January, 2014, I caused a copy of the foregoing "Consent Motion for Extension of Time to Reply to Opposition to Petition for Special Relief by Order of Carriage" to be served via email upon the following persons:

John R. Wilner, Esq.  
Ari Z. Moskowitz, Esq.  
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\_\_\_\_\_  
Thomas J. Dougherty, Jr.